

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PHILLIPS, et al.,	:	CONSOLIDATED UNDER
	:	MDL 875
Plaintiffs,	:	
	:	Transferred from the
v.	:	District of Rhode Island
	:	(D.R.I. No. 03-cv-378)
VIACOM, INC., et al.,	:	
	:	
Defendants.	:	CIVIL ACTION NO.
	:	07-63707
	:	

SUGGESTION OF REMAND

 AND NOW, this **27th** day of **August, 2010**, it is hereby
ORDERED that, upon review of the above captioned case under MDL-
875 Administrative Order no. 18 (01-md-875, doc. no. 6197), the
Court finds that:

- a.) Plaintiff has complied with MDL-875 Administrative
Orders 12 and 12A.
- b.) Parties have completed their obligations under the
Rule 16 order issued by the Court.
- c.) All discovery has been completed.
- d.) Settlement negotiations have been exhausted as to
the remaining viable defendants.
- e.) All outstanding motions have been either
adjudicated or settled.
- f.) The Court finds that this case is prepared for
trial without delay once on the transferor court's
docket.

Accordingly, the Court **SUGGESTS** that the above
captioned case should be **REMANDED** to the United States District

Court for the District of Rhode Island for resolution of all matters pending within this case except punitive damages.¹

AND IT IS SO ORDERED.

EDUARDO C. ROBRENO

1. The Court finds that the issue of punitive damages must be resolved at a further date with regard to the entire MDL-875 action, and therefore any claims for punitive or exemplary damages are hereby **SEVERED** from this case and retained by the Court within its jurisdiction over MDL-875 in the Eastern District of Pennsylvania. See In re Collins, 233 F.3d 809, 810 (3d Cir. 2000); See also In re Roberts, 178 F.3d 181 (3d Cir. 1999).